

**DATE:** September 28, 2015  
**TO:** RMC Governing Board  
**FROM:** Mark Stanley, Executive Officer  
**SUBJECT:** Item 8A: Executive Officer's Report- Legislation and Initiatives

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For full text and history of bills and initiatives, visit these web sites:

Federal Bills	<a href="http://thomas.loc.gov/">http://thomas.loc.gov/</a>
State Bills	<a href="http://www.leginfo.ca.gov/">http://www.leginfo.ca.gov/</a>
Initiative Measures	<a href="http://www.caag.state.ca.us/initiatives/activeindex.htm">http://www.caag.state.ca.us/initiatives/activeindex.htm</a>

**STATE LEGISLATION**  
**Current as of 9/18/2015**

The CA State Assembly has adjourned and will not reconvene until January 4, 2016. The following are legislative bills that are of special interest to the Conservancy and are currently before Governor Brown awaiting his signature:

**AB 530 (Rendon): Lower LA River Working Group**

Existing law provides for the protection, enhancement, and restoration of rivers in this state. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the purpose of, among others, providing for the public's enjoyment and enhancement of recreational and education experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River. This bill would require the Secretary of the Natural Resources Agency to appoint, in coordination with the Los Angeles County Board of Supervisors, a local working group to develop a revitalization plan for the Lower Los Angeles River, called the Lower Los Angeles River Working Group. The bill would specify a prescribed membership for the working group, including, among others, representatives from the County of Los Angeles, and elected officials of the cities riparian to the Los Angeles River. The bill would require, by March 1, 2017, the working group to develop, through watershed-based planning methods, a revitalization plan that addresses the unique and diverse needs of the Lower Los Angeles River, that is consistent with, enhances, and is incorporated into the County of Los Angeles's Master Plan, and that includes watershed education programs. By imposing additional duties on local officials, the bill would impose a state-mandated local program. The bill would require the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to provide any necessary staffing to assist the working group.

LAST HIST. ACT. DATE: 09/16/2015  
LAST HIST. ACTION: Enrolled and presented to the Governor at 4 p.m.  
COMM. LOCATION: SEN APPROPRIATIONS

**AB 1251 (Gomez D) Greenway Development and Sustainment Act.**

Summary: Would enact the Greenway Development and Sustainment Act and would authorize specified tax-exempt nonprofit organizations to acquire and hold a greenway easement, similar to a conservation easement if the organizations have as their primary purpose the development of a greenway, as defined. The bill would also include greenways in the definition of "open-space land" for local planning purposes. The bill would make findings with regard to the development of a greenway along the Los Angeles River and its tributaries and would declare that, by developing a greenway, a city, county, or city and county, may apply for funds from various sources.

The California Constitution provides that, unless otherwise provided in the Constitution or by federal law, all property in the state is taxable and is assessed at its fair market value. Existing law requires the county assessor to consider, when valuing real property for property taxation purposes, the effect of any enforceable restrictions, including recorded conservation easements, to which the use of the land may be subjected. This bill would provide that a recorded greenway easement constitutes an enforceable restriction for purposes of these tax provisions. By changing the manner in which county assessors assess property for property taxation purposes, this bill would impose a state-mandated local program. The bill would make findings with regard to the development of a greenway along the Los Angeles River and its tributaries. This bill would incorporate additional changes in Section 402.1 of the Revenue and Taxation Code, proposed by AB 668, to be operative only if AB 668 and this bill are both chaptered and become effective on or before January 1, 2016, and this bill is chaptered last.

LAST HIST. ACT. DATE: 09/11/2015

LAST HIST. ACTION: Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 61. Noes 16.).

COMM. LOCATION: SEN APPROPRIATIONS

**RMC BOARD COMPOSITION****SB 355. Senator Ricardo Lara. An act to amend Section 32605 of the Public Resources Code, relating to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, board composition.**

Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is responsible for the preservation and protection of specified lands within the San Gabriel and Lower Los Angeles Rivers and Mountains area, as defined. Existing law prescribes the duties of the conservancy, and requires that its governing board be comprised of 13 voting members and 7 nonvoting members, as specified. Existing law requires that the voting members include, among other members, representatives of the San Gabriel Valley Council of Governments, the Gateway Cities Council of Governments, and the Orange County Division of the League of California Cities, as prescribed. This bill would increase to 15 the number of voting members of the governing board, by adding 2 members who are residents of a city not otherwise represented on the governing board at the time of the member's appointment, one bordering the Lower Los Angeles River and the other bordering the San Gabriel River, as prescribed. The bill would also increase the number of nonvoting members to 9, and would require that one Member of the Senate, appointed by the Senate Committee on Rules, and one Member of the Assembly, appointed by the Speaker of the Assembly, serve as nonvoting members. The bill would require that those legislators serving as nonvoting members participate in activities of the conservancy only to the extent that participation is compatible with his or her duties as a legislator.

LAST HIST. ACT. DATE: 09/01/2015  
 LAST HIST. ACTION: Enrolled and presented to the Governor at 4:30 p.m.  
 COMM. LOCATION: ASM APPROPRIATIONS

## **WATER**

### **SB 208 (Lara). Integrated Regional Water Management Projects. Advance payment**

\$810,000,000 is to be available from the water bond, Proposition 1, for expenditures on, and competitive grants and loans to projects that are included in and implemented in an adopted integrated regional water management plan and respond to climate change and contribute to regional water security. This bill would require a regional water management group within 90 days of notice that a grant has been awarded, to provide the Department of Water Resources with a list of projects to be funded by the grant funds where the project proponent is a nonprofit organization, as defined, or a disadvantaged community, as defined, or the project benefits a disadvantaged community. This bill would require the department, within 60 days of receiving the project information, to provide advance payment of 50 % of the grant award for those projects that satisfy specified criteria and would require the advanced funds to be handled, as prescribed.

LAST HIST. ACT. DATE: 09/03/2015  
 LAST HIST. ACTION: Enrolled and presented to the Governor at 5:45 p.m.  
 COMM. LOCATION: ASM APPROPRIATIONS

### **Cap & Trade Expenditure Plan**

The California Global Warming Solutions Act of 2006 (AB 32) established California as a global leader in reducing greenhouse gas emissions (GHGs). To meet the goals of AB 32, the state has adopted a three-pronged approach to reducing emissions, including adopting standards and regulations, providing emission reduction incentives via grant programs, and establishing a market-based compliance mechanism known as Cap and Trade. The Cap and Trade program sets a statewide limit on the GHG sources responsible for 85 percent of California GHG emissions. Through an auction mechanism, it establishes a financial incentive for industries subject to the statewide cap to make long-term investments in cleaner fuels, more efficient energy use, and transformational technological and scientific innovations. The Cap and Trade program provides GHG emitters the flexibility to implement the most efficient options to reduce GHG emissions. Based on the first update to the Climate Change Scoping Plan, the Cap and Trade program will be responsible for approximately 30 percent of the required GHG emission reductions to meet the AB 32 goal of reducing GHG emissions to 1990 levels by 2020.

Chapter 830, Statutes of 2012 (SB 535), requires that the state invest at least 10 percent of the auction proceeds within the most disadvantaged communities and at least 25 percent of the proceeds be invested to benefit these communities. The California Environmental Protection Agency, directed by SB 535, will determine the list of disadvantaged communities using CalEnviroScreen, a tool developed by the Office of Environmental Health Hazard Assessment, in collaboration with stakeholders and an advisory group.

## **FEDERAL LEGISLATION & BILLS**

Congress has until September 30, 2015 to approve policy changes and budgets including discontinuing of money for Planned Parenthood, to opposition to the Iran nuclear agreement. If Congress is not able to come to an agreement, there is a threat a federal government shut down.

### **Land and Water Conservation Fund**

After a 50-year run the LWCF Act is due to expire on September 30, 2015 although Congress could still appropriate money for it in annual spending bills, such as the fiscal 2016 Interior appropriations bills, if it did expire.

To reauthorize the law the Senate Energy Committee approved legislation (S 2012) July 30 that would reauthorize LWCF permanently. The bill, from chairman Lisa Murkowski (R-Alaska) and ranking Democrat Maria Cantwell (D-Wash.), would also establish a \$150 million per year Park Service maintenance account.

In the legislation Murkowski and Cantwell would specify minimum annual allocations within LWCF, such as at least 40 percent per year for federal land acquisition and at least 1.5 percent per year (or more than \$10 million) for access to federal land for recreational purposes. Finally, the bill would require expenditure of at least 40 percent of annual LWCF appropriations for a combination of state LWCF grants, Forest Legacy grants, endangered species grants and an American Battlefield Protection Program

On LWCF's behalf in the Senate, 13 Republicans voted for an extension of LWCF January 29 when Sen. Richard Burr (R-N.C.) offered such an amendment to a Keystone Pipeline System bill. The amendment was defeated by a 59-to-49 vote, with 60 votes needed to pass.

Five Republican senators led by Burr have sponsored stand-alone legislation (S 338) this year that would make LWCF permanent at \$900 million per year. Six Democrats cosponsored the Burr bill.

House leaders are being urged to act. On September 10 several of the bill's cosponsors reestablished a Land Conservation Caucus to promote conservation, including LWCF. Caucus member Rep. Ryan Costello (R-Pa.) said, "In Southeastern Pennsylvania, the conservation and security of public lands like the Susquehanna and Delaware River Basins, the Schuylkill River National Heritage Area, the Highlands, and the Valley Forge National Historic Park is a top priority of mine. Preserving these lands so that future generations can enjoy them is a priority."

On the same day 114 hunting and fishing businesses wrote House and Senate leaders urging them to reauthorize LWCF. Said Ryan Callaghan, marketing manager with First Lite, "The success of our company depends on the ability of everyday American sportsmen to be able to find quality places to hunt. The Land and Water Conservation Fund is a success story in funding conservation and access and in providing quality opportunities for sportsmen to hunt on public lands."

From the Grand Canyon National park to the Appalachian national Scenic Trail, the LWCF has helped to protect some of America's most treasured places, conserving national parks and public recreation areas, lands by rivers, working forests, farms and ranches, fish and wildlife refuges, trails and state and local parks.

### **National Parks Service Bicentennial**

On September 1 the Obama administration detailed in bill form its recommendations for increased spending to support the Park Service in its Centennial year 2016, and beyond.

The proposal follows up on the administration's fiscal year 2016 appropriations request of February 2, which asks Congress to ante up an extra \$326.3 million over fiscal 2015 for the Centennial under existing authorities. That includes \$242.8 million for deferred maintenance and \$40 million for Centennial Challenge grants.

The follow-up legislative proposal, like the appropriations request, asks Congress for an additional \$500 million per year in new legislative authority, broken down into \$100 million for a new Centennial Challenge Fund, \$300 million for deferred maintenance in a new Second Century Infrastructure Investment and \$100 million for a new competitive Public Lands Centennial Fund. Money in the last category would be available for other Interior Department land management agencies, as well as the Forest Service.

Separately, the proposed legislation recommends that Congress establish a Second Century Endowment for NPS composed of revenues from donations to the National Park Foundation. The draft bill is here: <http://www.nps.gov/subjects/centennial/nps-centennial-act.htm>.